



Christopher R. Clark, Councilmember
John M. Inks, Councilmember
R. Michael Kasperzak, Jr., Councilmember

Ken S. Rosenberg, Councilmember
Patricia Showalter, Vice Mayor
Leonard M. Siegel, Councilmember

Daniel H. Rich, City Manager
Lorrie Brewer, City Clerk

John McAlister, Mayor

Jannie L. Quinn, City Attorney

Council Chambers & Plaza Conf. Rm.

5:00 PM

Tuesday, June 23, 2015

**JOINT MEETING OF THE CITY COUNCIL (REGULAR) AND SHORELINE REGIONAL
PARK COMMUNITY (SPECIAL)**

THIS MEETING WILL BE TELECONFERENCED PURSUANT TO GOVERNMENT CODE SECTION 54953(b) WITH MAYOR MCALISTER PARTICIPATING IN THE CLOSED SESSION PORTION OF THE MEETING FROM HOTEL LONDRES EIFFEL, 1 RUE AUGEREAU 75007, PARIS, FRANCE; COUNCILMEMBER INKS FROM THE FARTHINGS GUESTHOUSE B&B, 5 NUNTHORPE AVENUE, YORK YO23 1F, UNITED KINGDOM, AND COUNCILMEMBER ROSENBERG FROM 4614 L HONOAPIILANI RD., LAHAINA, HI 96761. THE TELECONFERENCE LOCATION WILL BE ACCESSIBLE TO THE PUBLIC AND AN AGENDA FOR THE MEETING WILL BE POSTED AT THESE LOCATIONS PURSUANT TO GOVERNMENT CODE SECTION 54953(b)(3). MEMBERS OF THE PUBLIC WILL HAVE THE OPPORTUNITY TO ADDRESS THE LEGISLATIVE BODY AT THESE LOCATIONS.

5:00 P.M.-STUDY SESSION (TO BE HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

2. ROLL CALL

Councilmembers Clark, Inks, Kasperzak, Rosenberg, Siegel, Vice Mayor Showalter, and Mayor McAlister

3. STUDY SESSION

3.1 Community Tree Master Plan.

Recommendation(s): The purpose of this Study Session is to obtain City Council input on the draft Community Tree Master Plan. The draft Plan was prepared in response to City Council's goal for Fiscal Years 2013-15 to "establish guidelines for tree preservation and planting in development projects with particular emphasis on canopy and habitat preservation."

Attachment(s): [Council Report](#)
[ATT 1 - Community Tree Master Plan](#)
[ATT 2 - Plan to Achieve 5% Canopy Goal](#)
[ATT 3 - Guidelines for Tree Preservation](#)

3.2 750 Moffett Boulevard - Moffett Gateway Project.

Recommendation(s): Provide the City Council with an update and receive feedback on the design of the proposed hotel and office project at 750 Moffett Boulevard (Moffett Gateway).

Attachment(s): [Study Session Memo](#)
[ATT 1 - Informal Project Plans](#)

6:30 P.M.-REGULAR SESSION (TO BE HELD IN THE COUNCIL CHAMBERS)

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Councilmembers Clark, Inks, Kasperzak, Rosenberg, Siegel, Vice Mayor Showalter, and Mayor McAlister

4. CONSENT CALENDAR

These items will be approved by one motion unless any member of the Council or audience wishes to remove an item for discussion. The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

4.1 Adopt an Ordinance Amending a Development Agreement Between the City of Mountain View and EMBP 455, L.L.C., Located at 575 East Middlefield Road (Second Reading).

Recommendation(s): Adopt an Ordinance Amending a Development Agreement Between the City of Mountain View and EMBP 455, L.L.C., for the Property at 575 East Middlefield Road. (First reading: 5-1-1; Siegel no; Rosenberg absent)

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance with Amendment](#)

4.2 Adopt Amendments to City Code, Chapter 38 (Second Reading).

Recommendation(s): Adopt an Ordinance Amending Chapter 38, Regulating the Use of City Parks and Other City Facilities, to Add Article IV, Regulating the Use of City Trails. (First reading: 7-0)

Attachment(s): [Council Report](#)
[ATT 1 - Ordinance](#)

4.3 Law Enforcement Services Agreement to Provide Police Services for Super Bowl 50.

Recommendation(s): Authorize the City Manager or his designee to execute a law enforcement services agreement under which Mountain View peace officers could provide supplemental police service for the City of Santa Clara and the Santa Clara Stadium Authority for Super Bowl 50 events at Levi's Stadium and the surrounding area.

Attachment(s): [Council Report](#)
[ATT 1 - Super Bowl Law Enforcement Services Agreement](#)

4.4 2030 General Plan, San Antonio Change Area Subsequent Environmental Impact Report.

Recommendation(s): Adopt a Resolution Certifying the City of Mountain View 2030 General Plan and Greenhouse Gas Reduction Program, San Antonio Change Area Subsequent Environmental Impact Report and Adopting CEQA Findings, a Statement of Overriding Considerations, Mitigation Measures, and a Mitigation Monitoring and Reporting Program, to be read in title only, further reading waived (Attachment 1).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution Certifying the General Plan SEIR](#)
[ATT 2 - Final Subsequent EIR](#)
[ATT 3 - Draft Subsequent EIR](#)
[ATT 4 - Caltrans Letter, dated May 13, 2015](#)

4.5 Amend Professional Services Contract with Hatch Mott MacDonald.

- Recommendation(s):**
1. Appropriate \$300,000 from the development revenues received in the Development Services Fund in excess of budget to the Public Works Land Development Engineering Operating Budget. (Five votes required)
 2. Authorize the City Manager to amend the existing professional services contract with Hatch Mott MacDonald for an additional \$300,000 for engineering services through December 31, 2015 for a total contract amount of \$475,908. In addition, there is a contract with Hatch Mott MacDonald for traffic engineering services of \$95,000 charged to Public Works and various CIPs.

Attachment(s): [Council Report](#)

4.6 771 North Rengstorff Avenue Park Design, Project 15-41-Apply for Historical Heritage Grant.

- Recommendation(s):**
1. Adopt a Resolution Approving the City's Application for a County of Santa Clara Historical Heritage Grant for Immigrant House Rehabilitation Project in the New Park to be Constructed at 771 North Rengstorff Avenue, to be read in title only, further reading waived (Attachment 1 to the Council report).
 2. Authorize the City Manager, or his designee, to execute required documents and agreements, and take all necessary action necessary related to the acceptance of grant funding.

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)

4.7 Tennis Court Resurfacing and Pathway Reconstruction at Cooper, Stevenson, Sylvan, and Whisman, Project 14-27-Reject All Bids.

- Recommendation(s):**
1. Reject all bids for Tennis Court Resurfacing and Pathway Reconstruction at Cooper, Stevenson, Sylvan, and Whisman, Project 14-27, and authorize staff to reduce the project scope and re-advertise the project for bids.
 2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

Attachment(s): [Council Report](#)

4.8 Doane and Drew Avenues Reconstruction, Projects 14-29 and 15-27.

- Recommendation(s):** 1. Approve plans and specifications for Doane and Drew Avenues Reconstruction, Projects 14-29 and 15-27.
2. Authorize the City Manager to award the construction contract to the lowest responsible bidder if the low bid is within the project budget.

Attachment(s): [Council Report](#)

4.9 Deer Hollow Farm Agreement-Midpeninsula Regional Open Space District.

- Recommendation(s):** Authorize the City Manager to enter into a five-year agreement, with an option to extend for one additional five-year period, between the City of Mountain View and the Midpeninsula Regional Open Space District regarding the funding and operation of Deer Hollow Farm.

Attachment(s): [Council Report](#)
[ATT 1 - MROSD Agreement](#)

4.10 Legal Advertising.

- Recommendation(s):** Authorize the City Manager or his designee to award the contract for legal advertising for Fiscal Year 2015-16 to the San Jose Post Record as the lowest responsible bidder.

Attachment(s): [Council Report](#)

4.11 AB 1234 State-Mandated Ethics Training-Requirements and Enforcement Policy.

- Recommendation(s):** That Council approve revisions to the Council Code of Conduct setting forth AB 1234 State-Mandated Ethics Training Requirements and Enforcement Policy.

Attachment(s): [Council Report](#)
[ATT 1 - CPC Staff Report, April 21, 2015](#)

4.12 Priority Development Area Planning Grant Acceptance-East Whisman Precise Plan.

- Recommendation(s):** Accept the Valley Transportation Authority (VTA) Priority Development Area Planning Grant Award of \$498,000 and authorize the City Manager or designee to execute a funding agreement with VTA for development of the East Whisman Precise Plan.

Attachment(s): [Council Report](#)
[ATT 1 - Detailed Area Map](#)

4.13 Amend Design Professional Services Agreement with NV5 and Amend Project Budget for Annual Sewer Main Replacement, Project 14-22.

- Recommendation(s):** 1. Transfer and appropriate \$200,000 from the Wastewater Fund to the Annual Sewer Main Replacement, Project 14-22. (Five votes required)
2. Authorize the City Manager to amend the professional services agreement with NV5 for the Annual Water and Sewer Main Replacement, Projects 14-21 and 14-22, increasing compensation by \$102,030 for Project 14-22 for a total contract amount not to exceed \$502,030.

Attachment(s): [Council Report](#)
[ATT 1 - Additional Design Services Proposal](#)
[ATT 2 - Additional Services Proposal](#)

5. ORAL COMMUNICATIONS FROM THE PUBLIC ON NONAGENDIZED ITEMS

This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the agenda. Speakers are allowed to speak on any number of topics for one three-minute period during the meeting. State law prohibits the Council from acting on nonagenda items.

6. PUBLIC HEARINGS

6.1 Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2015-16.

- Recommendation(s):** 1. Adopt a motion waiving the reading of the Statement of the Engineer of Record.
2. Adopt a Resolution Adopting the Engineer's Report for the Downtown Parking Maintenance and Operation Assessment District for Fiscal Year 2015-16 and Authorizing its Delivery to Santa Clara County, to be read in title only, further reading waived (Attachment 1 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution](#)
[ATT 2 - Engineer's Report](#)
[ATT 3 - Statement of the Engineer of Record](#)

7. NEW BUSINESS**7.1 Adopt Resolutions Governing Compensation for Unrepresented Employees and Modifying the Hourly Employee Salary Plan.**

Recommendation(s): Adopt resolutions governing compensation for unrepresented Confidential employees, Fire Managers and Professionals, Police Managers, Department Heads, and City Council Appointees, and revise the City's salary plan for hourly employees to comply with the City of Mountain View minimum wage and to add the classification of Library Technician.

1. Adopt a Resolution Authorizing the City Manager or His Designee to Set the Compensation for Unrepresented Employees, Including Confidential Employees, Fire Managers and Professionals, Police Managers, Department Heads, and Council Appointees, for July 1, 2015 through June 30, 2017, and Revise the City of Mountain View's Salary Plan to Reflect These Compensation Changes, to be read in title only, further reading waived (Attachment 1 to the Council report).

2. Adopt a Resolution Authorizing the City Manager or His Designee to Amend the City of Mountain View's Salary Plan for Hourly Employees to Ensure All Classifications Reflect Citywide Minimum Wage Ordinance (Chapter 42, Article II of the Mountain View City Code) on an Ongoing Basis and Add a New Hourly Classification of Library Technician, to be read in title only, further reading waived (Attachment 2 to the Council report).

Attachment(s): [Council Report](#)
[ATT 1 - Resolution - Unrepresented Employees](#)
[ATT 2 - Resolution - Hourly Salary Plan](#)

7.2 Proposed New Community Garden Site.

Recommendation(s): Approve the City-owned property at Shoreline Boulevard and Latham Street to become a future community garden location, as recommended by the Parks and Recreation Commission.

Attachment(s): [Council Report](#)
[ATT 1 - PRC Staff Report, June 10, 2015](#)

7.3 North Bayshore Trip Cap Report.

Recommendation(s): Review and Accept the North Bayshore Trip Cap Report.

Attachment(s): [Council Report](#)
[ATT 1 - Final report](#)

7.4 Silicon Valley Regional Interoperability Authority Memorandum of Understanding.

Recommendation(s): Authorize the City Manager to enter into a Memorandum of Understanding and execute related documents between the City of Mountain View and the Silicon Valley Regional Interoperability Authority relating to the building, financing, and maintenance of the new Silicon Valley Regional Communications System.

Attachment(s): [Council Report](#)
[ATT 1 - SVRIA SVRCS MOU Mountain View](#)

8. COUNCIL, STAFF/COMMITTEE REPORTS

No action will be taken on any questions raised by the Council at this time.

IMMEDIATELY FOLLOWING THE REGULAR SESSION - CLOSED SESSION (TO BE HELD IN THE PLAZA CONFERENCE ROOM)**1. CLOSED SESSION ANNOUNCEMENT (OPEN SESSION)****2. CLOSED SESSION**

2.1 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: Zachary Platt v. City of Mountain View; Katherine Lynn Stahl, et al.
Santa Clara Superior Court Case No. 114CV272157

2.2 CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One Potential case

2.3 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (§54956.8)—Property: Portion of Mora Drive to be vacated (no street address and no APN)—Agency Negotiator: Dennis Drennan, Real Property Program Administrator—Negotiating Party: Lennar Homes—Under Negotiation: Price and Terms of Payment for the Sale of Real Property

3. CLOSED SESSION REPORT**4. ADJOURNMENT**

The next Council Meeting will be held on Thursday, July 2, 2015, at 6:30 p.m. in the Council Chambers, 500 Castro Street.

NOTICE

There is a 90-day limit for the filing of a challenge in Superior Court to certain City administrative decisions and orders which require a hearing by law, the receipt of evidence and the exercise of discretion. The 90-day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge an action taken by the City Council in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised in the public hearing, or in written correspondence delivered to the City Council prior to or at the public hearing. The City Council may be requested to reconsider a decision if the request is made prior to the next City Council meeting, regardless of whether it is a regular or special meeting. For information on the next regular or special City Council meeting, please call (650) 903-6304.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, 500 Castro Street, Third Floor, during normal business hours and at the Council Chambers at City Hall, Second Floor, during the meeting. In addition, such writings and documents will be posted on the City's web site at www.mountainview.gov.

COUNCIL MEETINGS AND AGENDA

The City Council meets regularly on the second and fourth Tuesday of each month at 6:30 p.m. in the Council Chambers at City Hall, 500 Castro Street, Second Floor. Special meetings are called as necessary by the Mayor and noticed at least 24 hours in advance.

Interested parties may review the agenda, minutes and staff reports at the Mountain View Library, 585 Franklin Street, beginning the Thursday evening before each meeting and at the City Clerk's Office, 500 Castro Street, Third Floor, beginning Friday morning. Agenda materials may also be viewed electronically at www.mountainview.gov. Staff reports are also available at the Council Chambers during the meeting.

SPECIAL NOTICE—Reference: Americans with Disabilities Act, 1990. Anyone who is planning to attend the next City Council meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the City Clerk's Office at 903-6304 48 hours in advance of the Council meeting to arrange for assistance. Upon request, in advance, by a person with a disability, City Council meeting agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format. Also upon request, in advance, an assistive listening device can be made available for use during the meeting.

The Council meetings are cablecast live on Channel 26 on the Mountain View Comcast cable system and are replayed on Wednesday at 6:30 p.m. and on Saturday at 11:00 a.m. following that week's Council meeting. If there is a live Environmental Planning Commission meeting on a Wednesday, the replay of the City Council meeting will be on a Thursday at 6:30 p.m. In addition, Council Regular meetings are webcasted, and interested persons may visit the City's web site at www.mountainview.gov to watch the meetings live on their computer, laptop or PDA device. Archived broadcasts of previous meetings may also be accessed and watched on-line.

The Council may take action on any matter noticed herein, and their consideration and action on the matters noticed herein is not limited by the recommendations indicated in the Agenda or staff report(s). The Council may consider and act on items listed on the agenda in any order and thus all those interested in an item listed on the agenda are advised to be present throughout the meeting (see Policy and Procedure A-13). The reading of the full text of ordinances and resolutions will be waived unless a Councilmember requests otherwise.

By policy, no new items of business will be started after 10:00 p.m., unless an exception is made by vote of the Council.

ADDRESSING THE COUNCIL

Interested persons are entitled to speak on any action item listed on the agenda and are requested to fill out the blue cards available at the rear of the Council Chambers and deposit them with the clerk or at the podium as soon as completed. This will assure that your name and city of residence are accurately recorded in the minutes and that your interest in speaking is recognized. If you wish to speak and are not recognized by the Mayor, please approach the podium prior to completion of discussion on the item. Speakers are allowed up to three minutes each, and if a large group wishes to express its views, it is more effective to have one spokesperson.

Items on the "Consent Calendar" are not discussed individually but are approved as a group with one motion. If a citizen wishes to speak on an item on the Consent Calendar, he or she may come to the podium at the time announced by the Mayor and request that the item be pulled for discussion by the Council.

Anyone wishing to address the Council on a nonagenda item may do so during the "Oral Communications" part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.

Reducing Time For Public Input: For any single agendized item and for Oral Communications from the Public, if there appears to be 15 or more speakers and the Council might not be able to conclude the scheduled agenda items for the meeting if speakers were allotted three (3) minutes each, the Mayor may reduce speaking time to no less than two (2) minutes per speaker unless there is an objection from Council, in which case majority vote shall decide the issue without debate.